



General Assembly

January Session, 2005

Committee Bill No. 5749

LCO No. 3118

03118HB05749JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING THE CLAIM AGAINST THE STATE OF THE
THIRD TAXING DISTRICT OF NORWALK.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (*Effective from passage*) (a) Notwithstanding the failure to
2 file a proper notice of a claim against the state with the clerk of the
3 Office of the Claims Commissioner, as required by section 4-147 of the
4 general statutes, within the time limitations specified by subsection (a)
5 of section 4-148 of the general statutes, the Third Taxing District of
6 Norwalk is authorized pursuant to the provisions of subsection (b) of
7 section 4-148 of the general statutes to present its claim against the
8 state to the Claims Commissioner. The General Assembly deems such
9 authorization to be just and equitable and finds that such authorization
10 is supported by compelling equitable circumstances and would serve a
11 public purpose.

12 (b) The state shall be barred from setting up the failure to comply
13 with the provisions of sections 4-147 and 4-148 of the general statutes,
14 from denying that notice of the claim was properly and timely given
15 pursuant to sections 4-147 and 4-148 of the general statutes and from
16 setting up the fact that the claim had once been considered by the

- 17 Claims Commissioner, by the General Assembly or in a judicial
18 proceeding as defenses to such claim.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	New section
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Statement of Purpose:

To permit the Third Taxing District of Norwalk to present its claim against the state to the Claims Commissioner for a hearing on the merits.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. PERONE, 137th Dist.